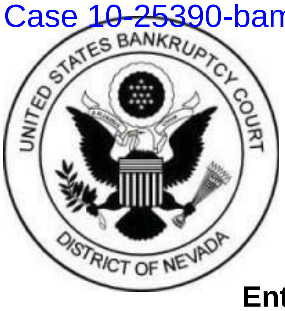

Entered on Docket
January 25, 2011

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES
Gregory L. Wilde, Esq.
Nevada Bar No. 004417
212 South Jones Boulevard
Las Vegas, Nevada 89107
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JP Morgan Chase Bank, N.A., successor in interest from the Federal Deposit Insurance Corporation, as receiver for Washington Mutual Bank.
10-73330

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re: Venerable Dela Cruz and Emma Dela Cruz Debtors.	BK-S-10-25390-bam MS Motion No. 27 Date: January 4, 2011 Time: 1:30 PM Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the post-petition arrearages currently due as follows:

4 Monthly Payment(s) at $2,122.77 (September 1, 2010 - December 1, 2010)	$8,491.08
4 Late Charge(s) at $91.32 (September 1, 2010 - December 1, 2010)	$365.28
Motion for Relief Filing Fee	$150.00
Attorneys Fees	$650.00
Total	$9,656.36

The total arrearage shall be paid in six monthly installments. Payments one through five (1-5) in the amount of $1,609.40 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the January 20, 2011 payment and continuing throughout and concluding on or before May 20, 2011. The sixth final payment in the amount of $1,609.36 shall be paid on or before June 20, 2011.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least fourteen business days' notice of the time, place and date of sale if the stay is vacated.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the January 1, 2011, payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 439 Wendover Hills Ave , Las Vegas, NV 89123, and legally described as follows:

LOT 27 IN BLOCK 5 OF AMENDED PLAT OF CRYSTAL SPRINGS R-2 60 NO.4 TM NO. 15, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 109 OF PLATS, PAGE 81, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA AND BY CERTIFICATE OF AMENDMENT RECORDED SEPTEMBER 26,2002 IN BOOK 20020926 OF OFFICIAL RECORDS AS DOCUMENT NO. 01140

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of

$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with enforcing its Security interest in the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By #10235

GREGORY L. WILDE, ESQ.
Attorneys for Secured Creditor
212 South Jones Boulevard
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

Kathleen A. Leavitt

By 1/18/11

Kathleen A. Leavitt
Chapter 13 Trustee
201 Las Vegas Blvd. So., #200
Las Vegas, NV 89101

Gary S. Fink

By

Gary S. Fink
Attorney for Debtors
6600 W. Charleston Blvd.
Las Vegas, NV 89146

Nevada Bar No. 5064

ALTERNATIVE METHOD re: RULE 9021:

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

____ The court has waived the requirements set forth in LR 9021(b)(1).

____ No party appeared at the hearing or filed an objection to the motion.

_X_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.

Debtor's counsel:

_X_ approved the form of this order _____ disapproved the form of this order

_____ waived the right to review the order and/or _____ failed to respond to the document

_____ appeared at the hearing, waived the right to review the order

_____ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

_X_ approved the form of this order _____ disapproved the form of this order

_____ waived the right to review the order and/or _____ failed to respond to the document

____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

I declare under penalty and perjury that the foregoing is true and correct.

Submitted by:
_/s/ Gregory L. Wilde, Esq.
Gregory L. Wilde, Esq.
Attorney for Secured Creditor